

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

Senate Engrossed
FILED
JANICE K. BREWER
SECRETARY OF STATE

CHAPTER 7

SENATE BILL 1013

AN ACT

AMENDING SECTIONS 14-5701 AND 25-681, ARIZONA REVISED STATUTES; RELATING TO
ARREST WARRANTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 14-5701, Arizona Revised Statutes, is amended to
3 read:

4 14-5701. Fiduciary arrest warrants

5 A. In an action or proceeding to enforce a court action in a case
6 filed pursuant to this title or title 41, chapter 4, article 1, or on motion
7 by a party or on its own motion, the court may issue a fiduciary arrest
8 warrant if the court finds that all of the following apply to the person for
9 whom the warrant is sought:

10 1. The person was ordered by the court to appear personally at a
11 specific time and location.

12 2. The person received actual notice of the order, including a warning
13 that the failure to appear might result in the issuance of a fiduciary arrest
14 warrant.

15 3. The person failed to appear as ordered.

16 B. The judicial officer shall order the fiduciary arrest warrant and
17 the clerk shall issue the warrant. The warrant shall contain the name of the
18 person to be arrested and other information required to enter the warrant in
19 the Arizona criminal justice information system. The warrant shall command
20 that the named person be arrested and either remanded to the custody of the
21 sheriff or brought before the judicial officer or, if the judicial officer is
22 absent or unable to act, before the nearest or most accessible judicial
23 officer of the superior court in the same county. The warrant issued
24 pursuant to this section remains in effect until it is executed or
25 extinguished by the court.

26 C. The warrant shall set forth a bond in a reasonable amount to
27 guarantee the appearance of the arrested person or an order that the arrested
28 person be held without bond until the arrested person is seen by a judicial
29 officer.

30 ~~D. A facsimile of the judicial officer's signature that is applied to~~
31 ~~the fiduciary arrest warrant at the direction and under the supervision of~~
32 ~~the judicial officer is deemed to be the authorized signature of the judicial~~
33 ~~officer.~~

34 ~~E.~~ D. A peace officer acting pursuant to a fiduciary arrest warrant
35 has the same powers as if acting pursuant to a criminal arrest warrant.

36 Sec. 2. Section 25-681, Arizona Revised Statutes, is amended to read:

37 25-681. Child support arrest warrant; definition

38 A. In any action or proceeding pursuant to section 25-502, on motion
39 of a party or on its own motion the court may issue a child support arrest
40 warrant if the court finds that all of the following apply to the person for
41 whom the warrant is sought:

42 1. The person was ordered by the court to appear personally at a
43 specific time and location.

1 2. The person received actual notice of the order, including a warning
2 that the failure to appear might result in the issuance of a child support
3 arrest warrant.

4 3. The person failed to appear as ordered.

5 B. The judicial officer shall order the child support arrest warrant
6 and the clerk shall issue the warrant. The warrant shall contain the name of
7 the person to be arrested and other information required to enter the warrant
8 in the Arizona criminal justice information system. The warrant shall
9 command that the named person be arrested and either remanded to the custody
10 of the sheriff or brought before the judicial officer or, if the judicial
11 officer is absent or unable to act, the nearest or most accessible judicial
12 officer of the superior court in the same county. A warrant that is issued
13 pursuant to this section remains in effect until it is executed or
14 extinguished by the court.

15 C. The court shall determine and the warrant shall state the amount
16 the arrested person shall pay in order to be released from custody.

17 ~~D. A facsimile of the judicial officer's signature that is applied to~~
18 ~~the warrant at the direction and under the supervision of the judicial~~
19 ~~officer is deemed to be the authorized signature of the judicial officer.~~

20 E. D. For the purposes of this article, "child support arrest
21 warrant" means an order that is issued by a judicial officer in a noncriminal
22 child support matter and that directs a peace officer in this state to arrest
23 the person named in the warrant and bring the person before the court.

APPROVED BY THE GOVERNOR APRIL 4, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2008.

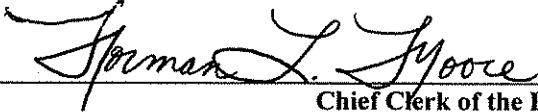
Passed the House April 1, 20 08,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting



Speaker of the House



Chief Clerk of the House

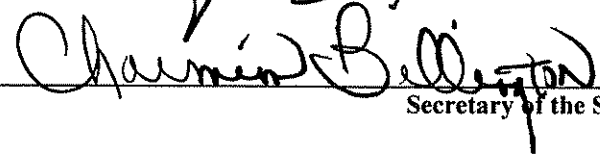
Passed the Senate March 6, 20 08,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting



President of the Senate



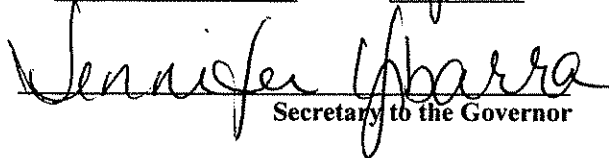
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

2nd day of April, 20 08

at 2:01 o'clock P. M.



Secretary to the Governor

Approved this 4 day of

April, 20 08,

at 8:40 o'clock A. M.



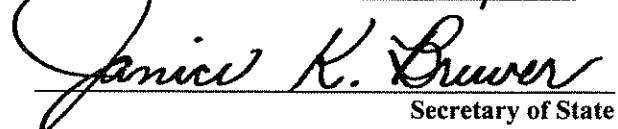
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4 day of April, 20 08,

at 12:40 o'clock P. M.



Secretary of State

S.B. 1013